

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

DAVID N. LAMBETH D/B/A LAMBETH  
SYSTEMS,

Plaintiffs,

v.

ACACIA RESEARCH CORPORATION,  
ET AL.,

Defendants.

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No. 2:13-CV-00194-JRG-RSP

**OPINION AND ORDER**

In this breach of contract case, Celltrace Communications Ltd. intervenes for the purpose of unsealing certain judicial records. Celltrace's Motion [Dkt. # 37]. Defendant Acacia Research Corporation opposes unsealing the records. Acacia's Opp'n [Dkt. # 40]. Plaintiff David Lambeth and Defendant SBS Magnetics LLC have not responded to Celltrace's motion.

On February 14, 2018, the Court granted Celltrace's motion to intervene and converted the Complaint in Intervention to a motion to unseal judicial records. Order [Dkt. # 45]. The Court stated that, having reviewed the Lambeth Agreement, the parties' briefing, and the applicable law, it was *likely* to unseal the Original Complaint and order Acacia to file a publicly redacted version of Exhibit A to the Original Complaint. *Id.* The Court set a hearing on Celltrace's motion for March 2, 2018 at 9:00 a.m. *Id.*

Acacia no longer objects to the Original Complaint being unsealed and has agreed to file a public version of the Lambeth Agreement that is redacted to the extent proposed in the Court's Order [Dkt. # 45], with the following addition: **the name and address of the Receiving Bank** on page 2 of the Lambeth Agreement shall also remain under seal. Notice of Stipulation [Dkt. # 46].

In light of the parties' agreement reflected by the Notice, the Court **GRANTS** Celltrace's motion to unseal public records to the extent it sought to unseal the Original Complaint and require filing of a redacted version of the Lambeth Agreement. Accordingly, the Court **ORDERS:**

(1) the District Clerk to **UNSEAL** the Original Complaint *except* for Exhibit A, which is the Lambeth Agreement; and

(2) Acacia to, no later than **March 5, 2018**, file a public version of the Lambeth Agreement that only redacts (a) dollar amounts (the dollar amounts in the first paragraph of Section 2.1 and in Sections 2.2.1, 2.2.2, 2.2.3, and 2.2.4), (b) the name and address of the Receiving Bank, the ABA number, and the Account Number associated with David Lambeth, and (c) the portion beginning with "F<sub>A</sub> Formula" on page 4 (the beginning of the formula, which runs onto the next page) through the first full paragraph on page 5 (which reflects the remainder of the formula).

The Court **CANCELS** the hearing scheduled for **March 2, 2018**.

**SIGNED this 28th day of February, 2018.**

  
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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE